

Jul-16-01 11:10am From-HOGAN&HARTSON

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T-156 P.010/026 F-539

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 27 2001

Attorney File No.: 68854.0041

Technology Center 2100

Compaq Docket No.: PD98-2385

Applicant/Patentee:

Kishnamoorthy et al.

Serial No.: 09/316,692

Date Filed: May 25, 1999

For: SYSTEM AND METHOD FOR SECURELY DOWNLOADING
FIRMWARE TO STORAGE DEVICES AND MANAGING DEVICES
IN A CLIENT-SERVER ARCHITECTURE

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):




Concurrently Herewith



Date Recorded _____

Reel 009993 Frame 0733

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventor(s). The undersigned hereby declares that she has reviewed the above-referenced assignment and hereby declares that, to the best of her knowledge, title is in the Assignee, and further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

Prosecuting Attorney List:	and registered attorneys at Customer Number.
Irene Kosturakis, Reg. No. 33,724 Rich Lange, Reg. No. 27,296 Louis Bruculeri, Reg. No. 38,834 Sarah T. Harris, Reg. No. 35,891 Joseph Arrambide, Reg. No. 39,589 Theodore S. Park, Reg. No. 28,971 Diane C. Drozenski, Reg. No. 39,177	 25235

Please direct all communications relative to this application to the following addressee:

WILLIAM J. KUBIDA
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(719) 448-5909

ASSIGNEE
COMPAQ COMPUTER CORPORATION

Date: 70 July 2001BY: Marcella Barboza

NAME: Marcella Barboza

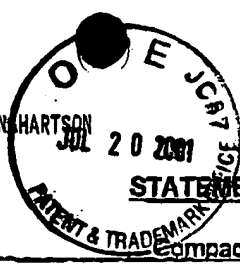
TITLE: Administrator, Patents

Authorized To Sign This Document On Behalf Of
Compaq Computer Corporation
Pursuant To Board Of Directors Resolution
Date July 28, 1999

Jul-16-01 11:08am From:HOGAN, HARTSON

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Y-156 P.003/026 F-538



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Compaq Computer CorporationApplication No./Patent No.: 09/318,692 Filed/Issue Date: May 25, 1999Entitled: SYSTEM AND METHOD FOR SECURELY DOWNLOADING FIRMWARE TO STORAGE DEVICES AND MANAGING DEVICES IN A CLIENT-SERVER ARCHITECTURE

Compaq Computer Corporation, a Delaware corporation
 (Name of Assignee) (Type of Assignee, e.g., corp., partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of an undivided part interest

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in the patent application/patent identified above by virtue of either:

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- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Suban G. Krishnamoorthy, John R. Graham, Charles A. Stoneham, and James S. Doucette
 To: Digital Equipment Corporation
 A copy thereof is attached.

2. From: Digital Equipment Corporation A copy of the Articles of Merger of Parent and Subsidiary Corporations is attached. To: Compaq Computer Corporation. A copy of a Certificate of Merger of Digital Equipment Corporation into Compaq Computer Corporation is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

17 July 2001
 Date

Marcella Barboza
 Signature

Marcella Barboza
 Typed or printed name

Administrator, Patents
 Title

Authorized To Sign This Document On Behalf Of
 Compaq Computer Corporation
 Pursuant To Board Of Directors Resolution
 Date July 28, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 04, 1999

HOLLAND & HART LLP
WILLIAM J. KUBIDA
P.O. BOX 8749
555-17TH STREET, #3200
DENVER, CO 80202

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AUG 12 1999

HOLLAND & HART LLP



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT Technology Center 2100

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/25/1999

REEL/FRAME: 009993/0733
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KRISHNAMOORTHY, SUBAN G.

DOC DATE: 05/20/1999

ASSIGNOR:

GRAHAM, JOHN R.

DOC DATE: 05/20/1999

ASSIGNOR:

STONEHAM, CHARLES A.

DOC DATE: 05/20/1999

ASSIGNOR:

DOUCETTE, JAMES S.

DOC DATE: 05/20/1999

ASSIGNEE:

DIGITAL EQUIPMENT CORPORATION
20555 SH 249
M/S 110701
HOUSTON, TEXAS 77070

SERIAL NUMBER: 09318692
PATENT NUMBER:

FILING DATE: 05/25/1999
ISSUE DATE:

Mail Ledger	<i>[Signature]</i>
Docketed	
Date	

009993/0733 PAGE 2

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MRP 5-25-99

06-07-1999

PD98-2385

FORM PTO-1595

REC

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

101057914
PATENT'S ONLYU.S. Department of Commerce
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Suban G. Krishnamoorthy, John R. Graham, Charles A. Stoneham, and James S. Doucette

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Digital Equipment Corporation

Internal address: M/S 110701Street address: 20555 SH 249
Houston, Texas 77070Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: May 20, 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 5/20/99

A. Patent Application No.(s)

09/318692

B. Patent No.(s)

Attorney Docket No.: PD98-2385

Additional numbers attached? ☐ Yes ☒ No

5. Name and Address of party to whom correspondence concerning document should be mailed:

Name: William J. Kubida

Internal Address: Holland & Hart LLP

P.O. Box 8749

Denver, CO 80201

Street Address: 555-17th Street, #3200

City: Denver State: CO Zip: 80202

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

08-2623

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and the attached copy is a true copy of the original document.

William J. Kubida, #29.664

Name of Person signing

Signature

Date

25 May 1999

Total number of pages including cover sheet, attachments and document: 5Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

06/04/1999 DNGUYEN 00000124 09318692

01 FC:581

40.00 DP

ASSIGNMENT

WHEREAS, We, Suban G. Krishnamoorthy, John R. Graham, Charles A. Stoneham, and James S. Doucette, are joint inventors of "SYSTEM AND METHOD FOR SECURELY DOWNLOADING FIRMWARE TO STORAGE DEVICES AND MANAGING DEVICES IN A CLIENT-SERVER ARCHITECTURE", application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, DIGITAL EQUIPMENT CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Massachusetts, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to DIGITAL EQUIPMENT CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by DIGITAL EQUIPMENT CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to DIGITAL EQUIPMENT CORPORATION, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to DIGITAL EQUIPMENT CORPORATION, its successors, assigns, or

other legal representatives and that if DIGITAL EQUIPMENT CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to DIGITAL EQUIPMENT CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS 20 day of May, 1999.

S. Krishnamoorthy
Suban G. Krishnamoorthy

STATE OF MA §
COUNTY OF WILMSTER §

BEFORE ME, the undersigned authority, on this day personally appeared Suban G. Krishnamoorthy, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 20 day of May, 1999.

Jacqueline M. Koughan
Notary Public in and for the State of MA

EXECUTED THIS 20 day of MAY, 1999.

John R. Graham
John R. Graham

STATE OF MA §
COUNTY OF Worcester §

BEFORE ME, the undersigned authority, on this day personally appeared John R. Graham, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 20 day of May, 1999.

Jacqueline M. Rougier
Notary Public in and for the State of MA

EXECUTED THIS 20 day of MAY, 1999.

Charles A. Stoneham
Charles A. Stoneham

STATE OF MA §
COUNTY OF Worcester §

BEFORE ME, the undersigned authority, on this day personally appeared Charles A. Stoneham, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 20 day of May, 1999.

Jacqueline M. Rougier
Notary Public in and for the State of MA

EXECUTED THIS 20th day of May, 19 99.

James S. Doucette
James S. Doucette

STATE OF MA
COUNTY OF Worcester

§
§

BEFORE ME, the undersigned authority, on this day personally appeared James S. Doucette, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 20 day of May, 19 99.

Jacqueline M. Kauger
Notary Public in and for the State of MA

DENVER:0918342.01

Examiner

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS (General Laws, Chapter 156B, Section 82)

We, Ben K. Wells, President / Vice President, ☐ ☒
and Linda S. Auwers, Clerk / Assistant Clerk, ☒ ☐

of COMPAQ COMPUTER CORPORATION

(Exact name of corporation)

organized under the laws of DELAWARE and herein called the parent corporation,

certify as follows:

1. That the subsidiary corporation(s) to be merged into the parent corporation is/are:

NAME	STATE OF ORGANIZATION	DATE OF ORGANIZATION
DIGITAL EQUIPMENT CORPORATION	MASSACHUSETTS	8/23/57

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CORPORATION DIVISION
SECRETARY'S OFFICE

2. The parent corporation, at the date of the vote, owned not less than ninety percent (90%) of the outstanding shares of each class of stock of the subsidiary corporation or corporations with which it has voted to merge.

Item 3 below may be deleted if all the corporations are organized under the laws of Massachusetts and if General Laws, Chapter 156B is applicable to them.

3. That in the case of each of the above named corporations, the laws of the state of its organization, if other than Massachusetts, permit the merger herein described, and that all action required under the laws of each such state in connection with this merger has been duly taken.

*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.

4. That at a meeting of the directors of the parent corporation, the following vote, pursuant to General Laws, Chapter 156B, Section 82, Subsection (a) was duly adopted:

By unanimous vote of the Board of Directors of Compaq Computer Corporation on December 9, 1999, the following resolutions were duly adopted:

WHEREAS, the Board deems it advisable to merge Digital Equipment Corporation, a wholly owned subsidiary, into the Company; now therefore be it

RESOLVED, that the merger of Digital Equipment Corporation into the Company be and it hereby is approved, and the Company does hereby assume all of the liabilities and obligations of, and merge into itself, Digital Equipment Corporation;

FURTHER RESOLVED, that the merger shall become effective on midnight December 31, 1999;

FURTHER RESOLVED, that any Vice President or any Secretary/Clerk of the Company be and hereby is authorized and directed to execute a Certificate of Ownership and Merger setting forth a copy of these resolutions and to cause same to be filed with the Delaware Secretary of State and to execute Articles of Merger of Parent and Subsidiary Corporations and to cause same to be filed with the Massachusetts Secretary of the Commonwealth, and to take such further actions and to execute such documents as may be necessary to implement the merger; and

FURTHER RESOLVED, that the Board authorizes Michael D. Capellas, President and Chief Executive Officer of the Company, at his discretion, to amend or terminate and abandon this merger at any time prior to the time that the merger becomes effective with the Delaware Secretary of State and the Massachusetts Secretary of the Commonwealth.

5. The effective date of the merger shall be the date approved and filed by the Secretary of the Commonwealth. If a later effective date is desired, specify such date, which shall not be more than *thirty* days after the date of filing:

December 31, 1999

Section 6 below may be deleted if the parent corporation is organized under the laws of Massachusetts.

6. The parent corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any corporation organized under the laws of Massachusetts with which it has merged, and any obligation hereafter incurred by the parent corporation, including the obligation created by General Laws, Chapter 156B, Section 82, Subsection (e), so long as any liability remains outstanding against the parent corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligations, including taxes, in the same manner as provided in Chapter 181.

SIGNED UNDER THE PENALTIES OF PERJURY, this 9th day of December, 19 99.

Ben K. Wells
Ben K. Wells

, "President / "Vice President,
☐ ☒

Linda S. Auwers
Linda S. Auwers

, "Clerk / "Assistant Clerk.
☒ ☐

*Delete the inapplicable words. In case the parent corporation is organized under the laws of a state other than Massachusetts, these articles are to be signed by officers having corresponding powers and duties.

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF MERGER OF PARENT AND SUBSIDIARY CORPORATIONS

(General Laws, Chapter 156B, Section 82)

I hereby approve the within Articles of Merger of Parent and Subsidiary Corporations and, the filing fee in the amount of \$ _____, having been paid, said articles are deemed to have been filed with me this _____ day of _____, 19 _____.

Effective date: _____

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION

Photocopy of document to be sent to:

OT Corporation
2 Oliver St.
Boston, MA 02109

Telephone: _____



William Francis Galvin
Secretary of the
Commonwealth

The Commonwealth of Massachusetts

Secretary of the Commonwealth

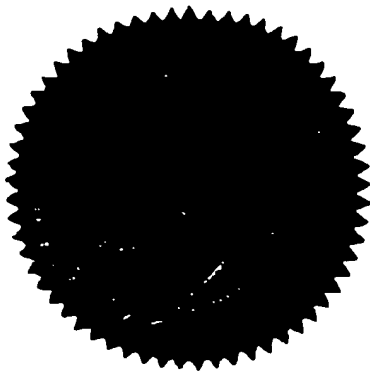
State House, Boston, Massachusetts 02188

January 18, 2000

TO WHOM IT MAY CONCERN:

I hereby certify that according to records in this office, Articles of Merger of Parent and Subsidiary corporations were filed here December 31, 1999, pursuant to Massachusetts General Laws, Chapter 156B, Section 92, whereby the subsidiary corporation, DIGITAL EQUIPMENT CORPORATION, a Massachusetts corporation merged into the parent corporation, COMPAQ COMPUTER CORPORATION, a Delaware corporation.

This certificate is issued in accordance with the provisions of Chapter 156B, Section 84.



In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

*MGL Chapter 156B §83A provides that certain consolidations and mergers may be filed with the Division within thirty days after the effective date of the merger or consolidation.